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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their  
capacities as Trustees of the LABORERS  
HEALTH AND WELFARE TRUST FUND  
FOR NORTHERN CALIFORNIA;  
LABORERS VACATION-HOLIDAY TRUST  
FUND FOR NORTHERN CALIFORNIA;  
LABORERS PENSION TRUST FUND FOR  
NORTHERN CALIFORNIA; and LABORERS  
TRAINING AND RETRAINING TRUST  
FUND FOR NORTHERN CALIFORNIA,  
  
Plaintiffs,  
  
v.  
  
MELINDA SWAFFORD, Individually;  
MELINDA SWAFFORD, Individually and  
doing business as SWAFFORD SWEEPING,  
and SWAFFORD SWEEPING,  
  
Defendants.

**TO: THE CLERK OF THE COURT AND DEFENDANT RMT LANDSCAPE  
CONTRACTORS, INC., A California Corporation:**

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case management conference scheduled for May 15, 2009 be continued for ninety days.

Plaintiffs served Defendants with the complaint on March 29, 2009, for which proofs of service were filed before this Court with the Summons evidencing such service on April 8, 2009.

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EX PARTE APPLICATION FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE; (PROPOSED)  
ORDER

Given that Defendants have not responded to the Complaint, Plaintiffs filed a Request for Entry of Default. Default was entered against Defendants on April 24, 2009. Plaintiffs will be filing a Motion for Default Judgment in the coming weeks and thus request that the Case Management Conference be continued for ninety days.

The above stated facts are set forth in the accompanying declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference, filed herewith.

Dated: April 24, 2009

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

By: /s/  
CONCEPCIÓN E. LOZANO-BATISTA

117117/528585

**ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

Based upon the foregoing Ex Parte Application for Continuance of Case Management Order and Declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference, the Court orders a continuance of the case management conference for ninety days. In addition, the Court Orders:

DATED: \_\_\_\_\_



HONORABLE JAMES LARSON  
JUDGE OF THE DISTRICT COURT

Susan Illston

The case management conference is continued to August 21, 2009,  
at 2:30 p.m.